REMARKS

The present Amendment amends claims 1-8 and 10-13 and leaves claims 9 and 14 unchanged. Therefore, the present application has pending claims 1-14.

Claim for Foreign Priority

Applicants filed a claim for foreign priority under 35 U.S.C. §119, claiming the right for priority based on Japanese Patent Application No. 2003-161642. The claim for foreign priority and the certified copy of the priority document was filed on February 13, 2004. However, in the May 14, 2007 Office Action, the Examiner did not check the box to show that "All" of the priority documents have been received. Therefore, Applicants respectfully request the Examiner's acknowledgement of Applicants' claim for foreign priority and receipt of the certified copy of the priority documents.

35 U.S.C. §102 Rejections

Claims 1-4 and 8-14 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,171,106 to Elberbaum. This rejection is traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in claims 1-4 and 8-14 are not taught or suggested by Elberbaum whether taken individually or in combination any of the other references of record. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to the claims to more clearly describe features of the present invention. Specifically, amendments were made to the claims to more clearly recite that the present invention is directed to an image data recording and

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reproducing system and method as recited, for example, in independent claims 1 and 12.

The present invention, as recited in claim 1, and as similarly recited in claim 12, provides an image data recording and reproducing system. The system includes an image data input unit, an ID generator, a plurality of image data recorders, and a terminal unit. The ID generator generates an ID to be inserted into each image data from the image data input unit. According to the present invention, each ID inserted into each of the image data is different from each other (*see, e.g.*, page 13, liens 23-27 and page 21, lines 5-6 of the present specification). The plurality of image data recorders are coupled with the ID generator. According to the present invention, the ID and the image data to which the ID is added are recorded in each of the plurality of image data recorders, such that each of the plurality of image data recorders includes the same ID and same image data (*see, e.g.*, page 14, lines 1-9 of the present specification). Also according to the present invention, each of a plurality of the image data recorders has an ID table and an image data storage area, where the image data is recorded in the image data storage area, and position information of the image data recorded in the image data storage area is stored in relation to the ID in the ID table. The terminal unit for outputs the image data recorded into a plurality of the image data recorders. According to the present invention, when the ID is input in the terminal unit, the image data is output from one of the plurality of image data recorders to the terminal unit in response to the ID (*see, e.g.*, page 16, lines 9-17 and page 18, lines 7-12 of the present specification). The prior art does not disclose all of these features.

The above described features of the present invention, as now more clearly recited in the claims, are not taught or suggested by any of the references of record, particularly Elberbaum, whether taken individually or in combination with any of the other references of record.

Elberbaum teaches a method and apparatus for processing, digitally recording, and retrieving a plurality of video signals. However, there is no teaching or suggestion in Elberbaum of the image data recording and reproducing system and method as recited in claims 1 and 12 of the present invention.

Elberbaum discloses a method and apparatus for processing and digital recording video signal, where transmitters for generating video signals receive an external synchronizing signal for synchronizing the transmitters. A recorder receiving the video signals has a switch sequentially connecting the transmitters to a digital video recorder. Code signals corresponding to identification codes allotted to video signals are generated. An injection circuit mixes code signals into video signals. The digital video recorder has a copy including circuit for time and date signal generating, for compressing the received signals and outputting them with the extracted codes and time and date of recorder signals to a memory storing those signals in endless cascaded rotation. Freshly stored signals replace the oldest signals stored in cascade. An alarm data signal for triggering the alarm state of the apparatus is received and the video signals recorded during the alarm state are recorded.

One feature of the present invention, as recited in claim 1, and as similarly recited in claim 12, includes a plurality of image data recorders are coupled with the ID generator, where the ID and the image data to which the ID is added are recorded

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in each of the plurality of image data recorders, such that each of the plurality of image data recorders includes the same ID and same image data. (Support for this feature may be found, for example, on page 14, lines 1-9 of the present specification). That is, in the present invention, the same image data and the same IDs are stored in each of the plurality of image data recorders, such that when an ID is input in a terminal unit, an image data is output from one of a plurality of the image data recorders according to the load state of the image data recorders. Elberbaum does not disclose this feature. For example, as shown in Fig. 17 and as described in column 15, lines 8-9, Elberbaum merely discloses the use of a plurality of digital recorders 30 mounted into a rack. There is no teaching or suggestion in Elberbaum of where the ID and the image data to which the ID is added are recorded in each of the plurality of image data recorders, such that each of the plurality of image data recorders includes the same ID and same image data, as in the present invention.

Another feature of the present invention, as recited in claim 1, and as similarly recited in claim 12, includes where each of a plurality of the image data recorders has an ID table and an image data storage area, where the image data is recorded in the image data storage area, and position information of the image data recorded in the image data storage area is stored in relation to the ID in the ID table. Elberbaum does not disclose this feature. For example, as described in column 14, lines 32-57, Elberbaum discloses the use of a code extracting circuit 100 for extracting identification code from the received video signal through the input terminal 101, and for feeding the extracted identification to a playback control circuit 71. There is no teaching or suggestion in the cited text of where each of a plurality of the image data recorders has an ID table and an image data storage area, where

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the image data is recorded in the image data storage area, and position information of the image data recorded in the image data storage area is stored in relation to the ID in the ID table, as in the present invention.

Yet another feature of the present invention, as recited in claim 1, and as similarly recited in claim 12, includes a terminal unit for outputs the image data recorded into a plurality of the image data recorders. According to the present invention, when the ID is input in the terminal unit, the image data is output from one of the plurality of image data recorders to the terminal unit in response to the ID. (Support for this feature may be found, for example, on page 16, lines 9-17 and page 18, lines 7-12 of the present specification). That is, respective image data recorders store the same image data and the same IDs, an din response to the ID from the terminal unit, a required image data is output from either one of the respective image data recorders. Elberbaum does not disclose this feature.

Still yet another feature of the present invention, as recited in dependent claim 2, includes a load balancer that has a load factor table, where the load balancer is coupled with the plurality of image data recorders, and selects one of the plurality of image data recorders, based on the load factor table, to output the image data. (Support for this feature may be found, for example, at page 19, lines 3-7 of the present specification). That is, the same image and the same ID are stored in each of the respective image data recorders, and the required image data is output from one of the respective image data recorders based on the state of the load balancer. Elberbaum does not disclose this feature.

Therefore, Elberbaum fails to teach or suggest "a plurality of image data recorders coupled with said ID generator, wherein said ID and said image data to

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which said ID is added are recorded in each of the plurality of image data recorders, such that each of the plurality of image data recorders includes the same ID and same image data" as recited in claim 1, and as similarly recited in claim 12.

Furthermore, Elberbaum fails to teach or suggest "wherein each of said plurality of image data recorders has an ID table and an image data storage area, said image data being recorded in said image data storage area, and position information of said image data recorded in said image data storage area being stored in relation to said ID in said ID table" as recited in claim 1, and as similarly recited in claim 12.

Further, Elberbaum fails to teach or suggest "a terminal unit for outputting said image data recorded into said plurality of image data recorders, wherein when said ID is input in said terminal unit, said image data is output from one of said plurality of image data recorders to said terminal unit in response to said ID" as recited in claim 1, and as similarly recited in claim 12.

Even further, Elberbaum fails to teach or suggest "a load balancer having a load factor table, coupled with said plurality of image data recorders, for selecting one of said plurality of image data recorders on the basis of said load factor table to output said image data" as recited in dependent claim 2.

Therefore, Elberbaum does not teach or suggest the features of the present invention, as recited in claims 1-4 and 8-14. Accordingly, reconsideration and withdrawal of the 35 U.S.C. §102(e) rejection of claims 1-4 and 8-14 as being anticipated by Elberbaum are respectfully requested.

35 U.S.C. §103 Rejections

Claims 5-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Elberbaum in view of U.S. Patent No. 6,292,098 to Ebata et al. ("Ebata"). This rejection is traversed for the following reasons. Claims 5-7 are dependent on claim 1. Therefore, Applicants submit that claims 5-7 are allowable for at least the same reasons previously discussed regarding independent claim 1.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references used in the rejection of claims 1-14.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-14 are in condition for allowance. Accordingly, early allowance of claims 1-14 is respectfully requested.

To the extent necessary, the Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing Attorney Docket No. NIT-410).

Respectfully submitted,

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